

**Merchant & Gould**  
An Intellectual Property Law Firm

Merchant & Gould P.C.  
3200 IDS Center  
80 South Eighth Street  
Minneapolis, MN 55402-2215

A Professional Corporation

Fax Transmission | October 26, 2006

TO:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

FROM: Mark T. Skoog  
OUR REF: 14096.15USWO  
TELEPHONE: 612.332.5300

RECEIVED  
CENTRAL FAX CENTER

OCT 26 2006

Total pages, including cover letter: 5

PTO FAX NUMBER 1-571-273-8300

If you do NOT receive all of the pages, please telephone us at 612.332.5300, or fax us at 612.332.9081.

Title of Document Transmitted: RESPONSE; PETITION FOR EXTENSION OF TIME

Applicant: CARVER

Serial No.: 09/701,315

Filed: JANUARY 9, 2001

Group Art Unit: 1639

Our Ref. No. 14096.15USWO

Confirmation No. 8757

Please charge Deposit Account No. 13-2725 in the amount of \$1,080.00 for Petition for Extension of Time. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By: Mark T. Skoog  
Name: Mark T. Skoog  
Reg. No.: 40,178

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Mark Skoog

Mark Skoog  
Signature

26 Oct 06  
Date

10/27/2006 MBINAS 00000035 132725 09701315  
01 FC:2255 1080.00 DA

GEN033.DOT

RECEIVED  
CENTRAL FAX CENTER

002/005

OCT 26 2006

S/N 09/701,315

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	CARVER ET AL.	Examiner:	M. TRAN
Serial No.:	09/701,315	Group Art Unit:	1639
Filed:	JANUARY 9, 2001	Docket No.:	14096.15USWO
Title:	DIRECTED COMBINATORIAL COMPOUND LIBRARY AND HIGH THROUGHPUT ASSAYS FOR SCREENING SAME		

CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on 26 Oct 06

By: Mark R. Jones  
Name: Mark R. JonesRESPONSE TO SPECIES ELECTION REQUIREMENT

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

Dear Sir:

Applicants have received and reviewed the Office Action dated April 26, 2006. In response, Applicants provide the following election of species and remarks.

In response to a Restriction Requirement, Applicants elected the claims of Group I (claim 1-6) and added claims 18-22, which also are in Group I. In response to a previous Species Election Requirement Applicants elected H as a species of X, NHCOR1 as a species of R, and 2 for a value of m.

The present Office Action asserts that the present application relates to patentably distinct species of a core structure common to all members of the claimed combinatorial library. The Office Action also asserts that selecting a species of this core structure includes identifying a nucleoside monomer, a spacer monomer, a cap monomer, and all of the bonds between these groups. Further, the Office Action asserts that the present application relates to distinct species of X and R in each of claims 19-22. Without acquiescing to these assertions, Applicant provides the following complete response to this species election requirement.

First, Applicant respectfully traverses and requests withdrawal of this species election requirement. Applicant respectfully submits that the inventive concept is independent of any particular core structure. Further, Applicant respectfully submits that the presently claimed